

### Remarks

In the Office Action dated September 21, 2004, the Examiner rejected claims 1-3, 6, 8-11, 14 and 16-20 under 35 U.S.C. § 103 as being unpatentable over the U.S. Patent to Soha 4,817,080 in view of the document in the name of Smith et al. The Examiner rejected claims 4, 5, 7, 12, 13 and 15 under 35 U.S.C. § 103 as being unpatentable over Soha in view of Smith et al. and further in view of the U.S. Patent to Phaal 5,315,580.

By this Amendment, Applicant's attorney has amended each of the independent claims as well as dependent claims 3, 5, 11 and 13 to make clear that statistics are collected at a plurality of measurement points located within routing and forwarding infrastructure of a computer network in order to reconstruct a path taken by undesirable network traffic through the computer network from a source of the traffic. Clearly, this feature is neither taught, disclosed or discussed by any of the references of record taken neither alone or in combination with one another.

For example, the U.S. Patent to Soha discloses a system that measures traffic statistics by looking at packet contents. The system collects distributed measurements and forwards them to a centralized point. Clearly, Soha does not collect statistics at a plurality of measurement points located within routing and forwarding infrastructure of a computer network. Furthermore, Soha fails to disclose either a method or a system for reconstructing a path taken by undesirable network traffic through a computer network from a source of the traffic. A word search of the Soha patent reference fail to disclose any mention of the words "path" or "reconstruct." Examiner admits that Soha is silent "on the statistics analysis in order to reconstruct a path taken by undesirable network traffic."

Examiner attempts to find this teaching in Smith et al. However, Smith et al. is concerned with placing fire walls outside corporate network boundaries, into the Internet. Clearly, Smith et al. is not concerned with analyzing statistics in order to reconstruct a path taken by undesirable network traffic through a computer network from a source of the traffic.

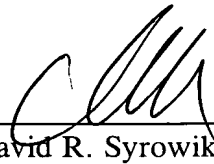
Reply to Office Action of September 21, 2004

Consequently, in view of the above, and in the absence of better art, Applicants' attorney respectfully submits the application is in condition for allowance which allowance is respectfully requested.

Respectfully submitted,

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